

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:09cr105-1**

**UNITED STATES OF AMERICA,**

**Vs.**

**GARVIN A. HARRIS,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the court on defendant's Motion for Order Directing the Attorney of Record to Surrender All Defense Files. The court has interpreted this motion as a request that defendant's court appointed counsel provide defendant with a copy of his case file in the above captioned matter. For cause, defendant states that he needs such copy to prepare any collateral challenge he may have in this matter. The court finds this to be a most reasonable request and one fully contemplated by Rule 1.16(d) of the North Carolina Rules of Professional Conduct upon termination of representation.<sup>1</sup> Having considered defendant's motion and reviewed the pleadings, and no objection having been filed in the nearly five months since this motion was filed,<sup>2</sup> the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's Motion for Order Directing the Attorney of Record to Surrender All Defense Files (#19) is **DEEMED** to be a request for a copy of his file from counsel, and is **GRANTED**, and Mr. Slawinski is respectfully instructed as an officer of this court to make such copy and send such to defendant, all at

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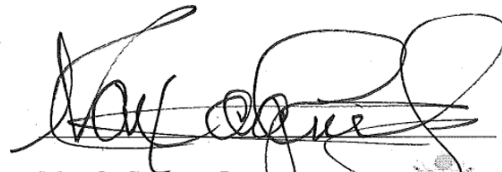
<sup>1</sup> Such representation has not, according to the docket, been officially terminated.

<sup>2</sup> The motion was filed April 8, 2011, and transferred to the undersigned on August 10, 2011.

government expense.<sup>3</sup>

Upon completion of that task, Mr. Slawinski shall file a notice with this court indicating his compliance with the Order and may at that time file a notice of withdrawal if he deems such action appropriate.

Signed: August 11, 2011



Max O. Cogburn Jr.  
United States District Judge

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<sup>3</sup> Such copying is, of course, subject to paragraph 22 of the Standard Criminal Discovery Order (#7) entered in this case concerning return of certain documents to the government, any agreement between the parties under the Open-File Policy, and the Protective Order found at paragraph 21 of such Standard Discovery Order.